

Application No.: 10/531,486
Filed: April 15, 2005
TC Art Unit: 2612
Confirmation No.: 8648

REMARKS

The foregoing amendment is filed in response to the Office Action dated June 15, 2007. Reconsideration is respectfully requested.

The status of the claims is as follows:

Claims 1-36 are currently pending.

Claims 1-36 stand rejected.

Claims 1, 9, 18, 22-24, 28, 30, and 35-36 have been amended.

Claims 7-8 and 26-27 have been canceled without prejudice.

The Examiner has rejected claims 1-36 under 35 U.S.C. 102(b) as being anticipated by Welch et al. (USP 5,319,363). The Applicants respectfully submit, however, that base claims 1 and 22, as amended, and the claims depending therefrom, recite non-obvious subject matter that distinguishes over the art of record, and therefore the rejections of claims 1-36 under 35 U.S.C. 102 should be withdrawn.

For example, amended base claim 1 recites a patient activity monitoring system that includes a plurality of remote monitoring subsystems, a plurality of user notification devices, and a central monitoring unit communicably coupled to the plurality of remote monitoring subsystems and the plurality of user notification devices. Each remote monitoring subsystem includes a

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remote monitoring unit and at least one sensor device coupled to the remote monitoring unit, in which each sensor device is associated with a respective patient. Further, the central monitoring unit has a graphical user interface. Each sensor device is configured to detect at least one predetermined patient activity parameter of the respective patient associated therewith, and to transmit sensor data representative of the detected patient activity parameter to the remote monitoring unit coupled thereto. Each remote monitoring unit is configured to receive sensor data, to process the sensor data to generate patient activity information corresponding to the sensor data, and to transmit the patient activity information to the central monitoring unit. The patient activity information includes at least one representation of at least one type of physical activity of the respective patient associated with the sensor device, and a representation of a level of assistance required by the respective patient based at least in part on the type of physical activity of the respective patient. In addition, one or more of the graphical user interface and the plurality of user notification devices is operative to provide at least one alarm indication based at least in part on the type of physical activity of one or more of the respective

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patients and/or the level of assistance required by one or more of the respective patients.

The official action indicates that the Welch reference discloses a plurality of remote monitoring subsystems including a remote monitoring unit (the bedside network 10; see Fig. 1 of Welch et al.) and at least one sensor device associated with a respective patient (the patient care device 16; see Fig. 1 of Welch et al.), a plurality of user notification devices (pocket pagers or "beepers"; see column 12, line 66, to column 13, line 3, of Welch et al.), and a central monitoring unit having a graphical user interface (the workstation 24 and the display 24f; see Fig. 1 of Welch et al.). The official action further indicates that the Welch reference discloses that the sensor device is operative to detect parameters, that the remote monitoring unit is operative to receive sensor data, and that the graphical user interface is operative to provide at least one alarm indication (see column 12, lines 47+, of Welch et al.).

The Applicants respectfully submit, however, that the Welch reference neither teaches nor suggests a patient activity monitoring system operative to generate patient activity information including at least one representation of at least one type of physical activity of the respective patient associated

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with a sensor device, and a representation of a level of assistance required by the respective patient based at least in part on the type of physical activity of the respective patient, as recited in amended base claim 1. The Applicants further submit that the Welch reference neither teaches nor suggests a patient activity monitoring system having a graphical user interface and/or one or more user notification devices operative to provide at least one alarm indication based at least in part on the type of physical activity of one or more of the respective patients and/or the level of assistance required by one or more of the respective patients, as recited in amended claim 1.

As described and claimed in the present application, the various types of "physical activity" of a patient can include random movement, swaying movement, rocking movement, "cheek walk", etc. (see page 22, lines 13-21, of the application, and amended claims 9 and 28 hereinabove). By providing a patient activity monitoring system with a simplified user interface, including customizable alarms for indicating the types of physical activity being engaged in by respective patients and the levels of assistance required by the respective patients based at least in part on the types of physical activity of the respective patients, caregivers responsible for multiple patients in hospital ward or

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nursing home settings can operate more efficiently, while enhancing the quality of care provided to their patients.

In contrast, the Welch reference merely discloses a conventional network for portable patient monitoring devices that provides a solution to the problem of centrally managing the use and control of portable patient care devices (PCD) (see column 3, lines 53-56, of Welch et al.). As disclosed in the Welch reference, when the workstation 24 receives a message from a PCD 16 that indicates that the PCD is in an alarm condition, the workstation 24 sends an alarm message to annunciators 30 (see Fig. 1 of Welch et al.). For example, if the heart rate of the patient in bed B of room 1124 falls outside of preset limits, then the annunciators 30 display the message "RM 1124B LIMIT ECG". Further, CPUs 31 (see Fig. 1 of Welch et al.) prioritize alarm messages from the workstation 24 by their type so that messages for simultaneously existing alarms are displayed in order of their seriousness or their occurrence (see column 5, line 62, to column 6, line 15, of Welch et al.).

Although the conventional system of Welch et al. can monitor physiological parameters of multiple patients such as a patient's heart rate, as discussed above, the Welch reference provides no teaching or suggestion of how the physical activities of multiple

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patients in a hospital ward or nursing home setting can be monitored to allow the caregivers for such patients to operate with increased efficiency. More specifically, the Welch reference neither teaches nor suggests the patient activity monitoring system of amended base claim 1, in which patient activity information can be generated including at least one representation of at least one type of physical activity of a respective patient associated with a sensor device, and a representation of a level of assistance required by the respective patient based at least in part on the type of physical activity of the respective patient. Moreover, the Welch reference neither teaches nor suggests such a patient activity monitoring system, in which a graphical user interface and/or one or more user notification devices can provide at least one alarm indication based at least in part on the type of physical activity of one or more of the respective patients and/or the level of assistance required by one or more of the respective patients, as recited in amended claim 1.

Because the Welch reference fails to disclose a patient activity monitoring system for generating patient activity information including at least one representation of a type of physical activity of a respective patient(s) associated with a

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sensor device, and a representation of a level of assistance required by the respective patient(s) based at least in part on the type of physical activity of the respective patient(s), and for providing at least one alarm indication based at least in part on the type of physical activity of the respective patient(s) and/or the level of assistance required by the respective patient(s), as recited in amended base claim 1, the Applicants respectfully submit that the Welch reference does not anticipate the subject matter of amended claim 1 and the claims depending therefrom. For at least the reasons discussed above with reference to amended claim 1, the Applicants further submit that the Welch reference does not anticipate the subject matter of amended base claim 22 and the claims depending therefrom. Accordingly, it is respectfully submitted that the rejections of claims 1-36 under 35 U.S.C. 102 should be withdrawn.

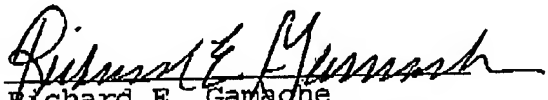
It is respectfully submitted that the present application is in a condition for allowance. Early and favorable action is respectfully requested.

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The Examiner is encouraged to telephone the undersigned Attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

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